

**JANUARY 7, 2014**

**ROLL CALL: MARY BRADLEY, CARL ELLIS, SONNY JONES, KEN KERKHOFF AND OWEN ROBERTS WERE PRESENT. COUNCIL MEMBER ANN MILLER WAS ABSENT FOR ROLL CALL. ALSO PRESENT WERE MAYOR BRIAN TRAUGOTT AND CITY ATTORNEY BILL MOORE.**

**DEPT. HEADS: BART MILLER, JIM ODOM, JOHN WILHOIT AND ALLISON WHITE WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.**

**MOTION BY JONES, SECONDED BY KERKHOFF TO APPROVE AND ADOPT THE MINUTES OF THE DECEMBER 17, 2013 REGULAR MEETING OF THE COUNCIL.**

**The vote was as follows: Ellis, Jones, Kerkhoff and Roberts voting aye. Council member Bradley abstained from voting.**

**At the request of Council member Ellis, City Attorney Moore gave second reading of Ordinance No. 2013-35 as follows:**

**CITY OF VERSAILLES, KENTUCKY  
ORDINANCE NO. 2013-35**

**AN ORDINANCE RELATING TO 815 KAR 7:120 KENTUCKY BUILDING CODE AND 815 KAR 7:125 KENTUCKY RESIDENTIAL CODE, AS ADOPTED BY THE BOARD OF HOUSING, BUILDINGS AND CONSTRUCTION OF THE COMMONWEALTH OF KENTUCKY.**

**Be it ordained by the City of Versailles as follows:**

**WHEREAS, KRS 198B.060(1), requires that all buildings constructed in the City of Versailles shall be built in compliance with the uniform state building code as adopted by the Board of Housing, Buildings and Construction; and**

**WHEREAS, KRS 198B.060(1) authorizes any city, county or urban county government to require, by ordinance, permits, inspections and certificates of occupancy for single family dwellings; and**

**WHEREAS, KRS 198B.060(11) requires the local government to employ or contract for or with an electrical inspection services; and**

**WHEREAS, KRS 198B.060(1) and 815 KAR 7:070 require a certified building inspector and other code enforcement personnel as necessary for inspection and code enforcement services;**

**WHEREAS, KRS 198B.060(18) authorizes each local government to establish a schedule of fees which are designed to cover the cost of service performed but not to exceed such costs;**

**NOW, therefore, BE IT ORDAINED, by the Fiscal County and/or legislative body of the City of Versailles, Commonwealth of Kentucky.**

**SECTION 1. ADOPTION OF THE 2013 KENTUCKY BUILDING CODE**

**THAT, the 2013 KENTUCKY BUILDING CODE, promulgated in 815 KAR 7:120 and the 2013 KENTUCKY RESIDENTIAL CODE promulgated in 815 KAR 7:125 by the Board of Housing, Buildings and Construction, Commonwealth of Kentucky, are to be enforced by the City of Versailles of the Commonwealth of Kentucky as if set out at length herein;**

**THAT, a copy of said 2013 Kentucky Building Code and the 2013 Kentucky Residential Code is on file in the Office of the City Clerk and the Clerk shall at all times keep a copy of said building code for reference.**

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**THAT, copy of this Ordinance shall be transmitted to the Department of Housing, Buildings, and Construction of the Commonwealth of Kentucky.**

**SECTION 2. DESIGNATED ENFORCEMENT OFFICER**

**THAT, the Versailles-Midway-Woodford County Planning Commission shall be designated as the local enforcement agency for said Kentucky Building Code. All building code inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction. All electrical inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction as an electrical inspector.**

**SECTION 3. BUILDING INSPECTION PROGRAM**

**THAT, pursuant to KRS 198B(8), a building inspection program is hereby established in the City of Versailles for application to all buildings subject to 815 KAR 7:120 Kentucky Building Code.**

**THAT, the building inspection program of the City of Versailles shall include plan review and inspections of structures subject to 815 KAR 7:125 Kentucky Residential Code.**

**SECTION 4. PERMITS AND FEES**

**THAT, the fees for permits and inspections shall be as provided for in the attached schedule.**

**SECTION 5. INCONSISTENT ORDINANCES REPEALED**

**THAT, all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.**

**SECTION 6. EFFECTIVE DATE**

**THAT, this resolution shall take effect and be in full force when passed, published and recording according to law.**

**APPROVED:**

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**BRIAN TRAUGOTT, MAYOR  
CITY OF VERSAILLES, KENTUCKY**

**ATTEST:**

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**ALLISON B. WHITE, CITY CLERK**

**MOTION BY ELLIS, SECONDED BY JONES TO APPROVE AND ADOPT ORDINANCE NO. 2013-35 AN ORDINANCE RELATING TO 815 KAR 7:120 KENTUCKY BUILDING CODE AND 815 KAR 7:125 KENTUCKY RESIDENTIAL CODE, AS ADOPTED BY THE BOARD OF HOUSING, BUILDINGS AND CONSTRUCTION OF THE COMMONWEALTH OF KENTUCKY.**

**The vote was as follows: Bradley, Ellis, Jones, Kerkhoff and Roberts voting aye.**

**At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2013-36 An Ordinance Amending the Classification and Compensation Plan of the City of Versailles to Amend the Position of Fire Chief (Full-Time) as follows:**

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**CITY OF VERSAILLES, KENTUCKY  
ORDINANCE NO. 2013-36**

**TITLE: AN ORDINANCE AMENDING THE CLASSIFICATION AND  
COMPENSATION PLAN OF THE CITY OF VERSAILLES TO AMEND  
THE POSITION OF FIRE CHIEF (FULL-TIME)**

**WHEREAS**, the Versailles City Council has determined that it is advisable to amend the Classification and Compensation Plan to amend the position of Fire Chief (Full-time) within the City of Versailles, Kentucky government.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY**  
as follows:

**SECTION 1.** The Classification and Compensation Plan of the City of Versailles, Kentucky is hereby amended as follows:

**CITY OF VERSAILLES  
POSITION DESCRIPTION**

**Class Title:** Fire Chief (Full-Time)

**Department:** Fire

**Supervisor:** Mayor

**Supervises:** All Departmental Personnel

**Class Characteristics:** Under general executive direction, plans, organizes, directs, coordinates and evaluates all activities and programs of the department, including full-time employees and volunteers, to provide continuous fire safety (including suppression, inspection and prevention) for the City; performs related duties as required.

**General Duties and Responsibilities:**

**Essential:**

1. Plans, organizes, directs, coordinates and evaluates the activities and programs of the department.
2. Formulates departmental operating policies and procedures, following consultation with higher authority and subordinate officers to provide the highest degree of fire control and prevention with the personnel and equipment available.
3. Makes periodic inspections to assure adherence to departmental policy regarding fire fighting readiness.
4. Responds to fire calls; may assume control of fire suppression upon arrival.
5. Performs fire prevention and fire inspection activities.
6. Speaks at public functions, schools, etc., regarding fire prevention.
7. Instructs, disciplines, and evaluates departmental personnel.
8. Assists in recruitment, selection, promotion and training of all personnel in department.
9. Insures that fire prevention maintains highest priority.
10. Approves training schedule for all personnel.
11. Monitors the preventive maintenance program of department.
12. Supervises the installation, testing, maintenance and repair of fire equipment and apparatus.
13. Investigates fires to determine cause, including suspected arson.
14. Prepares memoranda and/or supervises others in the preparation and maintenance of reports on activities of the department.
15. Maintains accurate records of departmental activities.
16. Reports to executive and legislative branches as requested.
17. Represents the department as needed.

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18. Performs public relations activities.
19. Participates in training activities; may serve as training instructor.

**Non-essential:** None.

## **DESIRABLE QUALIFICATIONS**

**Training and Experience:** Graduation from high school or equivalent supplemented by ten (10) ~~five~~ years experience in a supervisory capacity. (See KRS Chapter 95 for additional requirements.)

### **Special Knowledge, Skills and Abilities:**

#### **Knowledge:**

1. Extensive knowledge of modern fire fighting principles, methods and techniques.
2. Extensive knowledge of federal, state and local laws and ordinances, including National Fire Protection Association codes and standards, pertaining to fire prevention, inspection and suppression.
3. Extensive knowledge of fire fighting, rescue, hazardous materials, and confined space legislation.
4. Extensive knowledge of departmental operating procedures.
5. Extensive knowledge of the operation and maintenance of fire vehicles, equipment and related apparatus.
6. Extensive knowledge of the geography of the city, including the location of streets and roads, fire hydrants, and the location and interior plans of major buildings.
7. Extensive knowledge of the principles of hydraulics and their application to the operation of fire apparatus.

#### **Abilities:**

1. Ability to analyze emergency situations and adopt quick, efficient and reasonable courses of action with a minimum of hazard to fire personnel and the general public.
2. Ability to direct the actions of subordinates in emergency and non-emergency situations.
3. Ability to prepare and maintain accurate records.
4. Ability to deal courteously with the public.
5. Ability to establish and maintain effective working relationship with other emergency service organizations, city officers and employees, and the general public.

**Residence.** Fire Chief must reside within the Versailles Urban Service Boundary within six (6) months of hire and for the duration of the Chief's service.

## **ADDITIONAL REQUIREMENTS**

**Instructions:** Very general; must use own judgment most of the time.

**Processes:** Must frequently refine existing work methods and develop new techniques, concepts, or programs within established limits or policies.

**Review of Work:** General briefings may occasionally be requested; attends and participates in Council meetings.

**Analytical Requirements:** Assignments frequently involve decisions based on a wide knowledge of many factors where application of advanced or technical concepts is predominantly required.

**Physical Requirements of the Job:** Work involves sitting at a desk or table, standing, stooping, walking; extreme physical demands at scene of emergencies for long periods of time; lifting heavy objects (more than 25 pounds); exposed to extreme weather conditions for extended periods of time; exposed to high places, confined spaces, noise, machinery and its moving parts, fumes, chemicals and toxic substances.

**Tools and/or Equipment Used:** All types of fire and rescue apparatus; normal office equipment.

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**Contacts:** Frequent public and internal contacts requiring tact and diplomacy are requirements of the job.

**Confidential Information:** Regular use of confidential information.

**Mental Effort:** Heavy.

**Interruptions:** Frequent.

**Special Licensing Requirements:** Must possess and maintain a valid driver’s license.

**Training Requirements:** Must have completed required basic training, or must complete required basic training within one year following appointment to the position; must complete required annual training.

**Certification Requirements:** Must possess certification as fire fighter by the Commonwealth of Kentucky, or must obtain certification during first year after appointment to the position; must maintain certification as a condition of continued employment.

**Additional Requirements:** Must be able to respond to calls at all hours. Must be able to attend departmental training programs during evenings; must be able to attend evening Council meetings.

**Overtime Provision:** Exempt.

**SECTION TWO.** This ordinance shall take effect upon passage and publication as required by law.

**Introduced and given first reading at a meeting of the City Council of Versailles, Kentucky, held on the 17th day of December, 2013 and fully adopted after the second reading at a meeting of said Council held on the 7th day of January, 2014.**

**APPROVED:**

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**BRIAN TRAUGOTT, MAYOR  
CITY OF VERSAILLES, KENTUCKY**

**ATTEST:**

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**ALLISON B. WHITE, CITY CLERK**

City Attorney Moore noted that second reading was being given with suggested changes of Council member Ann Miller to include a bachelor’s degree requirement under “Desirable Qualifications” and lifting weight of heavy objects from 25 to 50 pounds under “Physical Requirements of the Job” and compliance with state and federal laws regarding physical training and fitness under “Training Requirements”.

**MOTION BY KERKHOFF, SECONDED BY ELLIS TO APPROVE AND ADOPT ORDINANCE NO. 2013-36 AS AMENDED.**

**The vote was as follows: Kerkhoff and Ellis voting aye. Council members Jones, Bradley and Roberts voting opposed. The motion fails.**

Council member Miller arrived. There was discussion as to whether or not under “Additional Requirements” that the Fire Chief must reside within the Versailles Urban Services area within six months of hire and for duration of service. The discussion was whether or not that requirement should be listed as an “additional requirement” or placed under the section entitled “Desirable Qualifications”.

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**MOTION BY JONES, SECONDED BY KERKHOFF TO MOVE REQUIREMENT OF “FIRE CHIEF MUST RESIDE WITHIN THE VERSAILLES URBAN SERVICE BOUNDARY WITHIN SIX (6) MONTHS OF HIRE AND FOR THE DURATION OF THE CHIEF’S SERVICE” FROM THE SECTION ENTITLED “ADDITIONAL REQUIREMENTS” TO THE SECTION ENTITLED “DESIRABLE QUALIFICATIONS”.**

**The vote was as follows: Bradley, Ellis, Jones, Kerkhoff and Roberts voting aye. Council member Miller voting opposed.**

**MOTION BY ELLIS, SECONDED BY JONES TO APPROVE AND ADOPT ORDINANCE NO. 2013-36 AS AMENDED.**

**The vote was as follows: Bradley, Ellis, Jones, Kerkhoff and Roberts voting aye. Council member Miller voting opposed.**

At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2013-37 Amending Section 110.21 of the Versailles Code of Ordinances as follows:

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-37**

**TITLE: AN ORDINANCE AMENDING § 110.21 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,  
  
NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 110.21 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

(A) There is hereby levied a license privilege and occupational tax on each person engaged in business within the city limits, in addition to all other taxes. This license is in the amount of \$50 and shall be paid by all businesses ~~except the following which shall pay the following amount: unless otherwise specified.~~

<del>Business</del>	<del>Fee</del>
<del>Carnival, fairs, or exhibitions</del>	<del>(1) per week \$ 150</del>
	<del>(2) per day 50</del>
<del>Wholesale liquor dealer</del>	<del>500</del>
<del>Wholesale beer delivery and sales</del>	<del>100</del>
<del>Dealers in malt beverage by bottle, keg, draft, beverages alone, or wine by drink</del>	<del>100</del>
<del>Liquor dispensaries (retail)</del>	<del>400</del>

(B) The license fee for carnivals, fairs or exhibitions shall be \$ 50.00 per day or \$ 150.00 per week.

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(C) The license fee for a business engaged in the manufacture, storage, sale, purchase, transporting or other trafficking in alcoholic beverages authorized within the City shall be as follows:

<u>License</u>	<u>Fee</u>
i Distiller’s license	\$ 500
ii Rectifier’s license	500
iii Wholesaler’s distilled spirits and wine license	500
iv Quota retail package license	500
v Quota retail drink license	500
vi Special temporary license, per event	100
vii Nonquota type 1 retail drink license (includes spirits, wine, and malt beverages)	500
viii Nonquota type 2 retail drink license (includes spirits, wine, and malt beverages)	500
ix Nonquota type 3 retail drink license (includes spirits, wine, and malt beverages) (Private Club)	500
x Caterer’s license	400
xi Bottling house or bottling house storage license	500
xii Brewer’s license	300
xiii Microbrewery license	300
xiv Malt beverage distributor’s license	100
xv Nonquota retail malt beverage package license	100
xvi Nonquota type 4 retail malt beverage drink license	100
xvii Malt beverage brew-on-premises license	100
xviii Limited restaurant license (includes distilled spirits, wine, and malt beverages)	800
xvix <u>The holder of a nonquota retail malt beverage package license may obtain a Nonquota type 4 malt beverage drink license for a fee of \$ 50. The holder of a Nonquota type 4 malt beverage drink license may obtain a nonquota retail malt beverage package license for a fee of \$ 50.</u>	

(D) If payment of a license fee relating to alcoholic beverages was erroneously made or the state director of Alcohol Beverage Control refuses to issue the required state license, the Clerk shall refund the license fee paid to the City.

(~~B~~ E) There is also hereby established a one-time registration fee for all new licensees of \$ 50.  
(~~C~~ F) There is also hereby established a minimum license fee of \$ 50 for each calendar year.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

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Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MOTION BY ELLIS, SECONDED BY ROBERTS TO APPROVE AND ADOPT ORDINANCE NO. 2013-37 AMENDING SECTION 110.21 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2013-38 Amending Section 110.30 of the Versailles Code of Ordinances as follows:**

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-38**

**TITLE: AN ORDINANCE AMENDING § 110.30 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 110.30 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

~~No retail package liquor license shall be issued to any business or person that does not receive at least ninety percent (90%) of its gross receipts from the sale of alcohol.~~

The City may issue quota retail package licenses to those businesses which comply with the requirements for such license contained in Title XX of the Kentucky Revised Statutes.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.



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THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MOTION BY JONES, SECONDED BY ELLIS TO APPROVE AND ADOPT ORDINANCE NO. 2013-38 AMENDING SECTION 110.30 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**At the request of Council member Ellis, City Attorney Moore gave second reading of Ordinance No. 2013-39 Amending Section 110.31 of the Versailles Code of Ordinances as follows:**

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-39**

**TITLE: AN ORDINANCE REPEALING § 110.31 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 110.31 of the Code of Ordinances of the City of Versailles is hereby repealed.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MOTION BY ELLIS, SECONDED BY JONES TO APPROVE AND ADOPT ORDINANCE NO. 2013-39 AMENDING SECTION 110.31 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

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**At the request of Council member Miller, City Attorney Moore gave second reading of Ordinance No. 2013-40 Amending Section 110.40 of the Versailles Code of Ordinances as follows:**

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-40**

**TITLE: AN ORDINANCE AMENDING § 110.40 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 110.40 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

(A) The City Administrating Officer shall issue the city's license to permit the sale of alcoholic beverages by the drink to ~~special~~ private clubs pursuant to this section.

(B) A ~~special~~ private club as described in this section shall have the same definition as contained in KRS ~~243.270~~ 241.010(38).

(C) ~~The~~ A nonquota type 3 retail drink license shall be issued upon submission of an application to the Office of the Mayor demonstrating compliance with the definition of a ~~special~~ private club and payment of the license fee of ~~five hundred dollars (\$500)~~ specified in Section 110.21(B). The license may be renewed annually thereafter upon showing of continued compliance with the applicable regulations and payment of a renewal fee of five hundred dollars (\$500).

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MOTION BY MILLER, SECONDED BY ELLIS TO APPROVE AND ADOPT ORDINANCE NO. 2013-40 AMENDING SECTION 110.40 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**At the request of Council member Bradley, City Attorney Moore gave second reading of Ordinance No. 2013-41 Amending Section 117.01 of the Versailles Code of Ordinances as follows:**

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**CITY OF VERSAILLES  
ORDINANCE NO. 2013-41**

**TITLE: AN ORDINANCE AMENDING § 117.01 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 117.01 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

§ 117.01 PURPOSE.

~~This chapter is adopted to regulate the sale of alcohol pursuant to KRS 242.185 in such manner as to effectuate the legislative intent of that statute. That intent is to permit the sale of alcoholic beverages by the drink at restaurants and dining facilities which seat at least 100 persons and derive a minimum of 70% of their gross receipts from the sale of food. To realize this intent, the city shall implement this chapter in such manner as to assure that:~~

~~———(A) Restaurants and dining facilities licensed under this chapter shall seat a minimum of 100 persons. Only permanent seating, excluding bar type stools, patio seating or temporary chairs available as needed, satisfies this seating threshold;~~

~~———(B) The sale of alcoholic beverages shall be necessary to the sale of food, offered only during times in which the licensee's kitchen and food service staff is on duty;~~

~~———(C) Restaurants and dining facilities licensed under this chapter shall derive a minimum of 70% of their gross receipts from the sale of food as certified by periodic documentation.~~

This purpose of this chapter is to regulate the sale of alcohol by the drink by restaurants and dining facilities in accordance with Title XX of the Kentucky Revised Statutes.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

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**MOTION BY MILLER, SECONDED BY ELLIS TO APPROVE AND ADOPT ORDINANCE NO. 2013-41 AMENDING SECTION 117.01 OF THE VERSAILLES CODE OF ORDINANCES.**

The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.

At the request of Council member Ellis, City Attorney Moore gave second reading of Ordinance No. 2013-42 Amending Section 117.02 of the Versailles Code of Ordinances as follows:

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-42**

**TITLE: AN ORDINANCE AMENDING § 117.02 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 117.02 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

~~§ 117.02 APPLICATION REVIEW.~~

~~————— No alcoholic beverage shall be sold in the city, except as authorized under KRS 242.185 and this chapter. Authorization under this chapter shall be obtained only upon the city's receipt and approval of an application in accordance with this chapter, the city's issuance of a license, the ABC's receipt and approval of an application in accordance with applicable law and the ABC's issuance of a license.~~

~~Application submittal and review shall be conducted as follows:~~

~~————— (A) Application and fee.~~

~~————— (1) Persons requesting approval and license authorizing the sale of alcoholic beverages by the drink pursuant to KRS 242.185 and this chapter shall submit a completed application to be obtained from the office of the Mayor. The Office of Mayor shall determine the form of this application and the information required by it. That form and information shall be reasonably calculated to permit a reviewing officer to determine compliance with this chapter. In any event, the city shall accept an application in the form approved and accepted by the Alcoholic Beverage Control (ABC). Any applicant utilizing the ABC form shall provide any additional information not otherwise required by the ABC form by supplemental attachment to the application.~~

~~(2) Applicants for a license under this chapter shall pay a license fee of \$800 pursuant to the provisions of KRS 243.070.~~

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~~(B) Supplemental information. As applicant currently operating a restaurant or dining facility of comparable size to that which is the subject of the application and one that offers the sale of alcoholic beverages by the drink shall supplement the required application. The required supplemental data shall include information related to its current operation, which reasonably demonstrates the likelihood that applicant's business in Versailles will yield income earned through the sale of food equal to or greater than 70% of its gross receipts. This supplemental data shall include, but not necessarily be limited to the following specific information:~~

- ~~(1) The population of the community in which it currently operates;~~
- ~~\_\_\_\_\_ (2) Alcohol sales permitted in the community in which it currently operates; and~~
- ~~\_\_\_\_\_ (3) The hours of operation, including any differentiation between the hours during which food and drinks are sold.~~

~~(C) Periodic information. Applicants to whom a license is issued authorizing the sale of alcoholic beverages by the drink pursuant to this chapter shall provide periodic information demonstrating compliance with the continuing requirement that 70% of the applicant's business income is earned from the sale of food.~~

~~(1) This documentation shall be provided on a schedule to be coordinated with the applicant's quarterly tax filings. Regardless of the applicant's filing schedule, the first of the applicant's periodic information shall be submitted not later than six months after applicant commences sale of alcoholic beverages pursuant to this chapter.~~

~~(2) This information shall consist of a certificate from a certified public accountant familiar with the applicant's pertinent business records. This certificate shall state,  
"I have conducted a limited scope audit to accepted accounting principles of the pertinent records of \_\_\_\_\_, licensee under Ordinance No. 2002-15, and certify that the licensee earned at least seventy percent (70%) of its gross receipts from the sale of food during the quarter ending."~~

~~\_\_\_\_\_ (3) This certificate shall include a brief description of the methodology utilized in the termination of the certified percentage.~~

~~(D) Administering officer. The city officer responsible for administering this chapter shall be the Mayor, or such city employee as the Mayor shall designate. All transactions required for compliance or enforcement of this chapter shall be directed to or issued by the Mayor. He or she shall review the applications along with supplemental and periodic information and issue~~

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~~licenses authorizing the sale of alcoholic beverages by the drink pursuant to this chapter. The city's administrating officer and employees with duties arising under this chapter shall comply with KRS 241.180 and 241.190.~~

~~(E) Forms. All forms reasonably necessary for the implementation of the chapter shall be provided by the Mayor's office.~~

~~(F) Auditing authority. the city's administrating officer is empowered to demand access to the pertinent business records of any applicant or licensee of the purpose of conducting and independent audit of those records to substantiate compliance with this chapter. The city's administrating officer may obtain such outside professional services as are reasonably necessary to conduct the audit. In the event the independent audit reveals non-compliance by the applicant or licensee, the costs of the audit shall be assessed to the licensee.~~

In accordance with KRS 243.072, the Versailles City Council hereby determines that an economic hardship exists within the City of Versailles and the sale of alcoholic beverages by the drink, to the extent permitted by said statute, could aid economic growth.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MOTION BY JONES, SECONDED BY ROBERTS TO APPROVE AND ADOPT ORDINANCE NO. 2013-42 AMENDING SECTION 117.02 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**At the request of Council member Ellis, City Attorney Moore gave second reading of Ordinance No. 2013-43 Amending Section 117.03 of the Versailles Code of Ordinances as follows:**

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-43**

**TITLE: AN ORDINANCE AMENDING § 117.03 OF THE VERSAILLES CODE OF ORDINANCES.**

**JANUARY 7, 2014**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 117.03 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

§ 117.03 ISSUANCE AND RENEWAL OF LICENSES.

~~(A) Issuance. Upon satisfactory compliance with all city imposed requirements, the city's administrating officer shall sign an acknowledgment of that compliance. The ABC shall rely upon that acknowledgment and upon review of the application to the ABC shall rely upon that acknowledgment and upon review of the application to the ABC, shall issue an appropriate license. Upon presentation of the ABC issued license, the city's administrating officer shall issue the city's license.~~

~~———(B) Renewal. A license issued pursuant to this chapter shall authorize the sale of alcoholic beverages for one year. The license may be renewed annually thereafter upon showing a compliance with applicable regulations and the payment of a renewal fee of \$800.~~

An applicant for a limited restaurant license for the sale of alcoholic beverages by the drink shall continuously satisfy all criteria for issuance such license contained in Title XX of the Kentucky Revised Statutes.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 7th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**MOTION BY ELLIS, SECONDED BY JONES TO APPROVE AND ADOPT ORDINANCE NO. 2013-43 AMENDING SECTION 117.03 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**At the request of Council member Ellis, City Attorney Moore gave second reading of Ordinance No. 2013-44 Amending Section 117.04 of the Versailles Code of Ordinances as follows:**



**JANUARY 7, 2014**

**CITY OF VERSAILLES  
ORDINANCE NO. 2013-44**

**TITLE: AN ORDINANCE AMENDING § 117.04 OF THE VERSAILLES CODE OF ORDINANCES.**

Whereas, in order to comply with 2013 Senate Bill 13, it is necessary for the City to amend its ordinances concerning licenses relating to alcoholic beverages,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VERSAILLES, KENTUCKY AS FOLLOWS:

SECTION ONE: Section 117.04 of the Code of Ordinances of the City of Versailles is hereby amended as follows:

**§ 117.04 OPERATIONAL REGULATIONS.**

(A) Hours. No licensee operating pursuant to this chapter shall be open for business for the purpose of selling alcoholic beverages earlier than 6:00 a.m. on Monday through Saturday and 11:00 a.m. on Sunday. No licensee operating pursuant to this chapter shall be open for business for purposely selling alcoholic beverages later than 1:00 a.m. on Tuesday through Saturday and 2:00 a.m. on Sunday and Monday.

(B) Sales permitted only when food available. The provisions of division (A) above, notwithstanding, no licensee operating pursuant to this chapter shall sell alcoholic beverages at any time at which the licensee's kitchen and food service staffs are off duty. ~~This requirement is necessary for accomplishment of the legislative intent state in § 117.01 and in KRS 242.185.~~

(C) No Sunday sales permitted. The license issued under ~~KRS 242.185~~ and this chapter authorizes the sale of alcoholic beverages only Monday through Saturday. Sunday sales of alcoholic beverages can be authorized only upon the city's adoption of an ordinance expressly providing for such sales.

SECTION TWO: This ordinance shall be effective after the date of its passage and publication as required by law.

Introduced and given first reading at a meeting of the City Council of the City of Versailles, Kentucky, held on the 17th day of December, 2013, and fully adopted after the second reading at a meeting of said council held on the 17th day of January, 2014.

THE CITY OF VERSAILLES

BRIAN TRAUGOTT, MAYOR

ATTEST:

ALLISON B. WHITE, CITY CLERK

**JANUARY 7, 2014**

**MOTION BY ELLIS, SECONDED BY ROBERTS TO APPROVE AND ADOPT ORDINANCE NO. 2013-44 AMENDING SECTION 117.04 OF THE VERSAILLES CODE OF ORDINANCES.**

**The vote was as follows: Ellis, Miller, Jones, Kerkhoff and Roberts voting aye. Council member Bradley voting opposed.**

**At the request of Council member Miller, City Attorney Moore gave first reading of Ordinance No. 2014-1 Amending the Development Plan for the Paddocks of Woodford Development Area.**

Public Works Director Bart Miller presented the following quotes to purchase a 10-inch water valve insertion for North Main Street (Broadway) fire hydrant:

C.I. Thornburg Company	\$7,200.00
Kentucky American Water	\$7,780.00

**MOTION BY ELLIS, SECONDED BY ROBERTS TO APPROVE THE QUOTE AS PRESENTED BY C.I. THORNBURG COMPANY IN THE AMOUNT OF \$7,200.00 FOR THE PURCHASE OF A 10 INCH WATER VALVE INSERTION FOR THE NORTH MAIN STREET FIRE HYDRANT.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**PUBLIC COMMENT**

**No public comment was received.**

**MOTION BY KERKHOFF, SECONDED BY JONES TO ENTER INTO EXECUTIVE SESSION TO DISCUSSION LITIGATION.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**MOTION BY MILLER, SECONDED BY BRADLEY TO RETURN TO REGULAR MEETING OF THE COUNCIL AND FURTHER NOTING THAT NO ACTION WAS TAKEN DURING EXECUTIVE SESSION.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**DEPARTMENT HEAD/COMMITTEE REPORTS**

City Clerk Allison White informed the Council that December monthly budget/financial reports were included in the packets for review and that current fiscal year budget amendments would be done within the next month.

Chief Wilhoit requested a Finance Committee meeting to be held on January 21<sup>st</sup> at 5:00 p.m.

Water/Sewer Committee Chair Roberts noted that the committee had met prior to the Council meeting for review and consideration of a sewer bill adjustment for 201 Berry Avenue. Mr. Roberts noted that it was the recommendation of the Committee to approve a sewer adjustment request in the amount of \$149.45 for 201 Berry Avenue and contingent upon proof of completion of repairs by the property owner.

**MOTION BY ROBERTS, SECONDED BY ELLIS TO APPROVE A SEWER BILL ADJUSTMENT FOR 201 BERRY AVENUE IN THE AMOUNT OF \$149.45 (\$365.62 TO \$216.17) AND CONTINGENT UPON PROOF OF COMPLETION OF REPAIRS BY THE PROPERTY OWNER.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

Police/Fire Committee Chair Miller requested a committee meeting for January 13<sup>th</sup> at 4:00 p.m. to be held on the Fire Department on Locust Street.

**JANUARY 7, 2014**

**MOTION BY ELLIS, SECONDED BY MILLER TO APPROVE THE GENERAL LEDGER DISTRIBUTION LIST (BILLS) DATED JANUARY 7, 2014 AFTER THEY HAVE BEEN PROPERLY REVIEWED AND APPROVED BY THE APPROPRIATE DEPARTMENT HEAD, MAYOR AND CITY TREASURER.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**MOTION BY ELLIS, SECONDED BY MILLER THAT THE MEETING OF THE CITY COUNCIL ADJOURN.**

**The vote was as follows: Bradley, Ellis, Miller, Jones, Kerkhoff and Roberts voting aye.**

**APPROVED:**

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BRIAN TRAUGOTT, MAYOR**

**ATTEST:**

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ALLISON B. WHITE, CITY CLERK**